



U.S. DEPARTMENT of STATE

Libya

Country Reports on Human Rights Practices - [2003](#)

Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

The Socialist People's Libyan Arab Jamahiriya* is a dictatorship that has been ruled by Colonel Mu'ammar Al-Qadhafi since 1969, when he led a military coup that overthrew King Idris I. Borrowing from Islamic and pan-Arab ideas, Qadhafi created a political system that rejects democracy and political parties and purports to establish a "third way" superior to capitalism and communism. The country's governing principles are derived predominantly from Qadhafi's "Green Book." In theory, the citizenry rules the country through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977; however, in practice, Qadhafi and his inner circle monopolize political power. Qadhafi is aided by extragovernmental organizations, the Revolutionary Committees, that exercise control over most aspects of citizens' lives. The judiciary is not independent of the Government, and security forces have the power to pass sentences without trial.

The country maintains an extensive security apparatus, consisting of several elite military units, including Qadhafi's personal bodyguards, local Revolutionary Committees, People's Committees, and "Purification" Committees. The result was a multilayered, pervasive surveillance system that monitored and controlled the activities of individuals. The various security forces committed numerous serious human rights abuses.

The Government exercised complete control over the country's oil resources, which accounted for approximately 95 percent of export earnings and an estimated 23 percent of the gross domestic product. The population of the country was approximately 5.7 million. Oil revenues were the principal source of foreign exchange. Much of the country's income has been lost to waste, corruption, conventional armament purchases, and attempts to develop weapons of mass destruction, as well as to large donations made to "liberation" movements and to developing countries in attempts to increase Qadhafi's influence in Africa and elsewhere. The Government's mismanagement of the economy has led to high inflation and increased import prices, resulting in a decline in the standard of living for most of its citizens in recent years.

The Government's human rights record remained poor, and it continued to commit numerous, serious abuses. Citizens did not have the right to change their government. Qadhafi used summary judicial proceedings to suppress domestic opposition. Security forces tortured prisoners during interrogations and as punishment. Prison conditions were poor. Security forces arbitrarily arrested and detained persons, and many prisoners were held incommunicado. Many political detainees were held for years without charge or trial. The Government controlled the judiciary, and citizens did not have the right to a fair public trial or to be represented by legal counsel. The Government infringed on citizens' privacy rights, and citizens did not have the right to be secure in their homes or to own private property. The Government restricted freedom of speech, press, assembly, association, and religion. The Government imposed some limits on freedom of movement. The Government prohibited the establishment of independent human rights organizations and of free trade unions.

Violence against women was a problem. Traditional attitudes and practices continued to discriminate against women, and female genital mutilation (FGM) was practiced in remote areas of the country. The Government discriminated against and repressed tribal groups. The Government continued to repress banned Islamic groups and exercised tight control over ethnic and tribal minorities, such as Amazighs (Berbers), Tuaregs, and the Warfalla tribe. The Government denied basic worker rights, used forced labor, and discriminated against foreign workers. There were reports of slavery and trafficking in persons.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no political killings; however, poor prison conditions contributed to an unknown number of deaths in custody (see Section 1.c.).

In July, the Human Rights Society of the Qadhafi International Foundation for Charity Association (commonly known as the

Qadhafi Foundation), headed by Saif al-Islam al-Qadhafi, called for an investigation into the deaths of detainees in custody; however, no subsequent investigation was known to have taken place.

In 2002, the World Organization Against Torture (OMCT) reported that authorities detained and tortured Mohammad Massaud Izbeda after he inquired as to why his son had not been among 62 prisoners released by the Government on September 1, 2002. According to reports, he was released later that day and died the same night (see Section 1.c).

Since 2001, the Government has suppressed all opposition within the country, focusing its efforts primarily on Islamist groups. It reinforced the tightened security measures put in place following a 1996 prison mutiny in Benghazi by arresting possible dissidents, conducting military operations in the areas of insurrection, and killing a number of persons.

In 2001, a German court found four persons, including a former government diplomat, guilty of murder and attempted murder in connection with the 1986 bombing of the La Belle disco in then-West Berlin. The judge declared that there was clear government responsibility. The German Government immediately called upon the Government to admit responsibility and provide compensation for the victims.

U.N. sanctions against the country were lifted on September 12 after the country fulfilled the remaining U.N. Security Council obligations imposed upon it in connection with the bombing of Pan Am flight 103 in 1988. In fulfilling these obligations, the country accepted responsibility for the actions of its officials and made arrangements for the payment of appropriate compensation to the families of the victims. On November 24, a Scottish court ruled that Abdelbasset al-Megrahi must serve a minimum of 27 years in prison before he will be considered for parole. In 2002, Megrahi appealed his conviction to the European Court of Human Rights, alleging that his rights were breached during his 2000-2001 trial and the subsequent appeal. At year's end, the appeal remained pending.

In 1999, a French court convicted in absentia 6 defendants in the bombing of UTA flight 772 over Chad in 1989, which killed 171 persons, and sentenced them to life in prison. In 2000, the Government paid the French Government \$31 million (17 million dinars) to compensate the victims' families. In August, France threatened to veto any U.N. Security Council resolution to lift sanctions against the country in an effort to obtain additional compensation for the families of UTA victims. The two sides reached a framework agreement that enabled France to abstain on the resolution, but at year's end they had not reached a final agreement on the amount of compensation.

b. Disappearance

There were no confirmed reports of politically motivated disappearances; however, in the past, the Government abducted and killed dissidents in the country and abroad.

In September, tensions flared with Lebanon over accusations of government responsibility for the 1978 disappearance of Lebanese Shi'a leader Imam Mousa al-Sadr and two of his companions in the country. Lebanese Shi'a Muslim groups pressed for Qadhafi to be held accountable for the disappearance. The country's embassy in Beirut was closed and its diplomats relocated to Damascus as a result of the renewed controversy. In October, a representative of the Lebanese Communist Party visited Tripoli, and the embassy was subsequently reopened.

At year's end, the Government still had not taken any action in the 1993 disappearance in Cairo of its citizen Mansur Kikhiya, a human rights and political activist.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Security personnel routinely tortured prisoners during interrogations or for punishment. Government agents reportedly detained and tortured foreign workers, particularly those from sub-Saharan Africa. Reports of torture were difficult to corroborate because many prisoners were held incommunicado. Although the Government promised to make public the names of any government personnel involved in the torture in 2002 by Qadhafi's son, Saif al-Islam, it had not done so by year's end.

Methods of torture reportedly included: Chaining to a wall for hours; clubbing; applying electric shock; applying corkscrews to the back; pouring lemon juice in open wounds; breaking fingers and allowing the joints to heal without medical care; suffocating with plastic bags; depriving of food and water; hanging by the wrists; suspending from a pole inserted between the knees and elbows; burning with cigarettes; attacking with dogs; and beating on the soles of the feet.

In September, Amnesty International (AI) reported that an Eritrean national died in custody after having been denied appropriate medical treatment. According to the report, the individual had been detained for approximately 18 months without being charged. He and seven other Eritreans were arrested for allegedly having deserted from the Eritrean military. AI also reported that the other seven detainees had been beaten and kicked, and that a prison guard had wounded one of the men with a knife. In 2002, the Government amputated the hands and legs of four individuals in punishment for theft. The sentences were the first issued since 1969.

In September 2002, OMCT reported that Mohammad Massaud Izbeda inquired at the Revolutionary Committee Headquarters

as to why his son, Abdallah Mohammad Massaud Izbeda, had not been among the 62 prisoners released by the Government on September 1, 2002. Authorities at the headquarters detained and tortured Mr. Izbeda. According to reports, he was released later that day and died the same night. Security forces reportedly attempted to remove Izbeda's body from its gravesite on September 13, 2002, when a group of young persons intervened. Authorities arrested several, subjecting at least one, Seif Salem Aljadik, to torture, and reportedly killing others. Authorities also demolished both Mr. Izbeda and Mr. Aljadik's homes (see Section 1.a.).

In a 1999 case involving the HIV infection of nearly 400 children, 16 defendants claimed that their confessions had been obtained under duress. In February 2002, a court in Benghazi conducted an official inquiry into the defendants' claims of torture. Defense lawyers for the health care professionals told the press that the inquiry was completed but the results were not communicated to the defense. In November 2002, seven of the suspects told the Sunday Times that they had signed confessions after months of torture. The torture methods they described included electric shocks, beatings, sleep deprivation, intimidation by police dogs, and forcing one female suspect to undress and threatening to insert a lighted lamp into her vagina. These signed confessions were the prosecution's best evidence against the suspects. The case remained pending at year's end after a series of delays in court proceedings.

Prison conditions reportedly were poor. According to AI, political detainees reportedly were held in cruel, inhuman, or degrading conditions, and denied adequate medical care, which led to several deaths in custody. The Government did not permit prison visits by human rights monitors, including the International Committee of the Red Cross.

d. Arbitrary Arrest, Detention, or Exile

By law, the Government may hold detainees incommunicado for unlimited periods. Security forces arbitrarily arrested and detained citizens. The Government held many political detainees incommunicado in unofficial detention centers controlled by members of the Revolutionary Committees.

Scores of businessmen, traders, and shop owners have been arrested arbitrarily on charges of corruption, dealing in foreign goods, and funding Islamic fundamentalist groups in violation of the 1994 Purge Law. The Purge Law was established to fight financial corruption, black marketeering, drug trafficking, and atheism. Purification committees enforced the law.

Hundreds of political detainees, many associated with banned Islamic groups, reportedly were held in prisons throughout the country (but mainly in the Abu Salim prison in Tripoli); many have been held for years without charge. Some human rights organizations estimated this number to be as high as 2,000. Hundreds of other detainees may have been held for periods too brief (3 to 4 months) to permit confirmation by outside observers.

In October, an official from the Bulgarian Embassy was banned from the courtroom proceedings in the trial of the Bulgarian health professional charged with intentionally infecting 400 children with HIV.

In 2002, a People's Court in Tripoli sentenced to death Salem Abu Hanak and Abdullah Ahmed Izzedin, 2 out of at least 152 professionals who were arbitrarily arrested in 1998 in Benghazi for involvement with Islamic organizations. Eighty-six of the 152 men were sentenced, while 66 were acquitted. Those who were convicted received sentences ranging from 10 years to life imprisonment. The appeal trial opened in December 2002 and continued at year's end. AI reported that lawyers for the accused were neither allowed to study their case files nor to meet with their clients. The lawyers were denied access to the court, and the judge appointed government clerks to replace them. Family members were allowed to meet with the accused briefly for the first time since their arrest in April 2001, but then not again until at least December 2001 (see Sections 1.c. and 1.e.). In September, the Qadhafi Foundation, headed by Saif al-Islam al Qadhafi, announced that it had intervened with authorities in the case asking that they, "work towards the release of the group...in order to re-integrate them into society."

In 1999, the 16 defendants of the case involving the HIV infection of nearly 400 children were kept in incommunicado detention for approximately 10 months, without access to their families or legal representation (see Sections 1.c. and 1.e.).

There was no information available on Abdullah Ali al-Sanussi al-Darrat, who was detained without charge and has not had a trial since 1973 (see Section 2.a.).

The Government did not impose forced exile as a form of punishment, and it continued to encourage citizen dissidents abroad to return, promising to ensure their safety. It was unclear whether such promises were honored. During the year, the Government continued to repatriate family members of suspected citizens who were members of the terrorist group al-Qa'ida. Students studying abroad have been interrogated upon their return.

e. Denial of Fair Public Trial

The judiciary was not independent of the Government, and security forces had the power to pass sentences without trial. The Government used summary judicial proceedings to suppress domestic dissent.

There are four levels of courts: summary courts, which tries petty offenses; the courts of first instance, which tries more serious

crimes; the courts of appeal; and the Supreme Court, which is the final appellate level.

Special revolutionary courts tried political offenses. Such trials often were held in secret or even in the absence of the accused. In other cases, the security forces had the power to pass sentences without trial, especially in cases involving political opposition. In the past, Qadhafi incited local cadres to take extrajudicial action against suspected opponents.

The private practice of law is illegal; all lawyers must be members of the Secretariat of Justice.

The trial of the 152 professionals and students who were arrested in Benghazi for alleged involvement with an Islamic organization remained under appeal at year's end (see Sections 1.c. and 1.d.).

In February 2002, the special People's Court, charged with trying 16 health professionals in 1999 for allegedly infecting 400 children with HIV, dropped the conspiracy charge and transferred the proceedings to the criminal court. The attorney defending the persons claimed he was allowed to meet with his clients twice in the 3 years since their jailing. The case was still pending at year's end after a series of delays in the court proceedings (see Sections 1.c. and 1.d.).

The Government held a large number of political prisoners. AI estimated that there were hundreds of persons imprisoned for political reasons; other groups put that number as high as 2,000. On September 1, 2002, the Government announced that it had pardoned and released 3,000 citizen and foreign prisoners on the occasion of the 34th anniversary of the revolution that brought Qadhafi to power. It was unclear how many of these may have been political prisoners.

The Government did not permit access to political prisoners by international human rights monitors.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Government does not respect the right to privacy. The security agencies often disregarded the legal requirement to obtain warrants before entering a private home. They also routinely monitored telephone calls.

The security agencies and the Revolutionary Committees oversaw an extensive network of informants; one credible foreign observer estimated that 10 to 20 percent of the population was engaged in surveillance for the Government. Exiles reported that family ties to suspected government opponents may result in harassment and detention. The Government may seize and destroy property belonging to "enemies of the people" or those who "cooperate" with foreign powers. In the past, citizens reported that the Government warned members of the extended family of government opponents that they too risked the death penalty.

The law provides for the punishment of families or communities that aid, abet, or do not inform the Government of criminals and oppositionists in their midst. The crimes include "obstructing the people's power, instigating and practicing tribal fanaticism, possessing, trading in or smuggling unlicensed weapons, and damaging public and private institutions and property." The law also provides that "any group, whether large or small," including towns, villages, local assemblies, tribes, or families, be punished in their entirety if they are accused by the General People's Congress (GPC) of sympathizing, financing, aiding in any way, harboring, protecting, or refraining from identifying perpetrators of such crimes. Punishment under the Collective Punishment Law ranges from the denial of access to utilities (water, electricity, telephone), fuels, food supplies, official documents, and participation in local assemblies, to the termination of new economic projects and state subsidies. The "Code of Honor," passed by the GPC in 1997, provides for collective punishment to be inflicted on the relatives of persons having committed certain crimes, normally opponents of the regime.

The 1994 Purge Law provides for the confiscation of private assets above a nominal amount, describing wealth in excess of such undetermined amounts as "the fruits of exploitation or corruption." In 1996, the Government ordered the formation of hundreds of "Purge" or Purification Committees composed of young military officers and students. The Purification Committees reportedly seized some "excessive" amounts of private wealth from members of the middle and affluent classes; the confiscated property was taken from the rich to be given to the poor in an effort to appease the populace and to strengthen the Government's power and control over the country. The activities of the Purification Committees continued during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government severely limited the freedoms of speech and of the press. This was especially true with regard to criticism of Qadhafi or his Government. The occasional instances of criticism of political leaders and policies in the state-controlled media usually were government attempts to test public opinion or weaken a government figure who may be a potential challenger to Qadhafi. The authorities tolerated some difference of opinion in People's Committee meetings and at the GPC.

By year's end, the Government still had not responded to requests on the whereabouts of the journalist Abdullah Ali al-Sanussi al-Darat, who has been detained without trial or charges brought against him since 1973 (see Section 1.d.).

In October, the Government banned the newspaper Az-Zahf Al-Akhdar for 2 weeks following its criticism of Lebanese Shi'ite paries and politicians. Following the 2 week ban, a new editor was appointed.

The Government restricted freedom of speech by prohibiting all political activities not officially approved, by enacting laws so vague that many forms of speech or expression may be interpreted as illegal, and by operating a pervasive system of informants that created an atmosphere of mistrust at all levels of society (see Section 1.f.).

The Government owned and controlled the media. There was a state-run daily newspaper, Al-Shams, with a circulation of approximately 40,000. Local Revolutionary Committees published several smaller newspapers. The official news agency, JANA, was the designated conduit for official views. The Government did not permit the publication of opinions contrary to its policy. Such foreign publications as Newsweek, Time, the International Herald Tribune, L'Express, and Jeune Afrique were available, but authorities routinely censored them and had the power to prohibit their entry into the market.

The Internet and satellite television were widely available in the country. According to numerous anecdotal reports, both were accessed easily in Tripoli.

The Government restricted academic freedom. Professors and teachers who discussed politically sensitive topics faced the risk of government reprisal.

b. Freedom of Peaceful Assembly and Association

The Constitution does not provide for the freedom of assembly, and the Government severely restricted this right. Public assembly was permitted only with Government approval and in support of the Government's positions.

The Government restricted the right of association; it grants such a right only to institutions affiliated with the Government. Under the law, political activity found by the authorities to be treasonous is punishable by death. An offense may include any activity that is "opposed to the principles of the Revolution."

c. Freedom of Religion

The Government restricts freedom of religion. Although the country is a dictatorship, the Government was tolerant of other faiths, with the exception of fundamentalist and militant forms of Islam, which it viewed as a threat to the regime.

In an apparent effort to eliminate all alternative power bases, the Government banned the once powerful Sanusiyya Sufi order of Islam. In its place, Qadhafi established the Islamic Call Society (ICS), which was the outlet for state-approved religion, as well as a tool for exporting the revolution abroad. The ICS also was responsible for relations with other religions, including Christian churches in the country. In 1992, the Government announced that the ICS would be disbanded; however, its director still conducted activities, suggesting that the organization remains operational. The Government heavily censored its clerics. Islamic groups whose beliefs and practices were at variance with the state-approved teaching of Islam were banned. Although most Islamic institutions were under state control, prominent families endowed some mosques; however, they generally followed the government-approved interpretation of Islam. Government officials repeatedly denounced militant Islam during the year.

Members of some minority religions were allowed to conduct services. Christian churches operated openly and were tolerated by the authorities. However, Christians were restricted by the lack of churches; there was a government limit of one church per denomination per city.

For a more detailed discussion, see the [2003 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2003/27933pf.htm).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government usually does not restrict the internal movement of citizens; however, it has imposed blockades on those cities and regions (primarily in the east) in which anti-government attacks or movements originated.

The Government requires citizens to obtain exit permits for travel abroad and limits their access to hard currency. A woman must have her husband's permission to travel abroad (see Section 5). Authorities routinely seized the passports of foreigners married to citizens upon their entry into the country.

The right of return exists. The Government has called on students, many of whom receive a government subsidy, and others working abroad, to return to the country on little or no notice.

The Government expelled noncitizens arbitrarily. The Government continued to repatriate family members of suspected al-Qa'ida members during the year.

Following reports in 2001 of mob violence in which 150 African workers were killed, the Government expelled hundreds of thousands of African migrants by driving them in convoys to the border with Niger and Chad and abandoning them there in the

desert (see Sections 5 and 6.e.).

The law does not provide for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The U.N. High Commissioner for Refugees (UNHCR) reported that there were approximately 33,000 refugees in the country, including 30,000 Palestinians and 3,000 Somalis. During 2001, the UNHCR assisted approximately 1,300 of the most vulnerable refugees in the country and supported income-generating programs for refugee women. The Government cooperated with UNHCR and provided free housing to approximately 850 refugees during 2001.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. Qadhafi, his close associates and committees acting in his name controlled major government decisions. Political parties are banned. Qadhafi appointed military officers and official functionaries down to junior levels. Corruption and favoritism, partly based on tribal origin, were major problems that adversely affected government efficiency.

In theory, popular political participation is provided by the grassroots People's Committees, which are open to both men and women, and which send representatives annually to the national GPC; however, the GPC is chosen by Qadhafi and merely approves all recommendations made by him.

Qadhafi established the Revolutionary Committees in 1977. These bodies consisted primarily of youths who guard against political dissent. Some committees have engaged in show trials of government opponents; the committees also have been implicated in the killing of opponents abroad. The committees approve all candidates in elections for the GPC.

There was no reliable information on the representation of women and minorities in the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of independent human rights organizations. The Government created the Libyan Arab Human Rights Committee in 1989; however, the committee was not known to have published any reports.

The Government had not responded substantively to appeals from AI on behalf of detainees by year's end.

The Government's human rights record came under renewed international scrutiny as a result of its chairmanship of the 57th U.N. Commission on Human Rights (UNCHR). The Government repeatedly dismissed criticism of its human rights record and there was no evidence that chairing the CHR prompted better behavior as Qadhafi's son, Saif al-Islam, had claimed would be the case.

In September, the Government appointed for the first time a Secretary for Human Rights; however, at year's end, this ministry had yet to demonstrate any influence over the country's human rights policies.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government did not enforce the prohibitions, particularly with regard to women and tribal minorities.

In 1999, 16 health professionals were charged for allegedly infecting 400 children with HIV. The case was still pending at year's end after a series of delays in the court proceedings (see Sections 1.c, 1.d., and 1.e.). In 2000, mobs beat and killed numerous African workers and, in some cases, burned their places of residence and employment. The mobs blamed the foreign population for increased crime and the presence of HIV/AIDS in the country.

Women

There was little detailed information regarding the extent of violence against women; however, it reportedly remained a problem. In general, the intervention of neighbors and extended family members tended to limit the reporting of domestic violence. Abuse within the family rarely was discussed publicly, due to the value attached to privacy in society.

Some nomadic tribes located in remote areas still practiced FGM on young girls.

Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children (see Section 6.f.).

The 1969 Constitutional Proclamation granted women total equality; however, traditional attitudes and practices continued to discriminate against women. Women were reportedly prevented, in practice, from owning property. A woman must have the permission of her husband or another close male relative to travel abroad (see Section 2.d.).

Although their status was not equal to that of men, the opportunity for women to make notable social progress increased in recent years. Oil wealth, urbanization, development plans, education programs, and even the impetus behind Qadhafi's revolutionary government have contributed to the creation of new employment opportunities for women. In recent years, foreign diplomats have noted a growing sense of individualism in some segments of society, especially among educated youth. For example, many educated young couples preferred to set up their own households, rather than move in with their parents, and viewed polygyny with scorn. Educational differences between men and women have narrowed.

In general, the emancipation of women is a generational phenomenon: Urban women under the age of 35 tended to have more "modern" attitudes toward life; however, older urban women tended to have more traditional attitudes toward family and employment. Moreover, a significant proportion of rural women did not attend school and were inclined to instill in their children such traditional beliefs as women's subservient role in society.

Female participation in the workforce, particularly in services, continued to increase. However, employment gains by women were often inhibited by lingering traditional restrictions that discourage women from playing an active role in the workplace and by the resurgence of Islamic fundamentalist values. Some observers noted that even educated women often lacked self-confidence and social awareness and sought only a limited degree of occupational and social equality with men.

Children

The Government subsidized education (which is compulsory until age 15) and medical care, and it has improved the welfare of children; however, declining revenues and general economic mismanagement have led to cutbacks, particularly in medical services.

Sudanese girls reportedly have been trafficked and sold as slaves in the country (see Section 6.f.).

FGM was practiced on young girls (see Section 5, Women).

Persons with Disabilities

No information was available on the Government's efforts, if any, to assist persons with disabilities.

National/Racial/Ethnic Minorities

Arabic-speaking Muslims of mixed Arab and Amazigh ancestry constituted 97 percent of the population. The principal minorities are Amazighs and sub-Saharan Africans. There were frequent allegations of discrimination based on tribal status, particularly against Amazighs in the interior and Tuaregs in the south. The Government manipulated the tribes to maintain a grip on power by rewarding some tribes with money and government positions and repressing and jailing members of various other tribes. The Government also attempted to keep the tribes fractured by pitting one against another.

Foreigners constituted a significant part of the workforce. According to some estimates, there were 2.5 million foreign workers in the country. Africans in particular have become targets of resentment in the past. In 2001, mobs of citizens in several locations reportedly killed 150 African workers, including a Chadian diplomat. The Government dispersed the rioters, but then reportedly expelled hundreds of thousands of African workers (see Sections 1.a., 2.d., and 6.e.).

Section 6 Worker Rights

a. The Right of Association

Independent trade unions and professional associations are prohibited, and workers do not have the right to form their own unions. The Government regards such structures as unacceptable "intermediaries between the revolution and the working forces." However, workers may join the National Trade Unions' Federation, which was created in 1972 and is administered by the People's Committee system. The Government prohibited foreign workers from joining this organization.

The official trade union organization played an active role in the International Confederation of Arab Trade Unions and the Organization of African Trade Union Unity. The Arab Maghreb Trade Union Federation suspended the membership of the country's trade union organization in 1993. The suspension followed reports that Qadhafi had replaced all union leaders, and in some cases, with loyal followers without union experience.

b. The Right to Organize and Bargain Collectively

Collective bargaining did not exist in any meaningful sense, because labor law requires that the Government must approve all agreements.

The law does not provide workers with the right to strike and there were no reports of strikes during the year.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

There was no information regarding whether the law prohibits forced or bonded labor including by children, or whether such practices occurred. In its 2000 report, the International Labor Organization's (ILO) Committee of Experts stated that in the country "persons expressing certain political views or views ideologically opposed to the established political, social, or economic system may be punished with penalties of imprisonment," including "an obligation to perform labor." The ILO report also noted that public employees may be sentenced to compulsory labor "as a punishment for breaches of labor discipline or for participation in strikes, even in services whose interruption would not endanger the life, personal safety, or health of the whole or part of the population."

There have been credible reports that the Government arbitrarily forced some foreign workers into involuntary military service or coerced them into performing subversive activities against their own countries.

Despite the Penal Code's prohibition on slavery, citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment of children is 18. There was no information available on the prevalence of child labor, or whether forced or bonded labor by children is prohibited or practiced (see Section 6.c.).

e. Acceptable Conditions of Work

The labor law defines the rights and duties of workers, including matters of compensation, pension rights, minimum rest periods, and working hours.

Wages, which are forbidden by the Green Book and are actually paid in the form of "entitlements" to workers, frequently were in arrears. A public sector wage freeze was imposed over a decade ago particularly in the face of consistently high inflation. According to some reports, the average family lived on \$170 (86.7 dinars) a month. Although there was no information available regarding whether the average wage was sufficient to provide a worker and family with a decent standard of living, the Government heavily subsidized rent, utilities, oil, and every day food staples such as flour and sugar. The legal maximum workweek is 48 hours.

Labor inspectors are assigned to inspect places of work for compliance with occupational health and safety standards. Certain industries, such as the petroleum sector, attempted to maintain standards set by foreign companies. There was no information regarding whether a worker may remove himself or herself from an unhealthy or unsafe work situation without risking continued employment.

Although foreign workers constitute a significant percentage of the work force, the Labor Law does not accord them equality of treatment. Foreign workers were permitted to reside in the country only for the duration of their work contracts and could not send more than half of their earnings to their families in their home countries. They were subjected to arbitrary pressures, such as changes in work rules and contracts, and had little option but to accept such changes or to depart the country. Foreign workers who were not under contract enjoyed no protection.

In 1997, the U.N. Committee on Economic, Social, and Cultural Rights cited inadequate housing, threats of imprisonment to those accused of disobeying disciplinary rules, and accusations of causing a variety of societal problems as some of the problems in the Government's treatment of foreign laborers.

The Government used the threat of expulsion of foreign workers as leverage against countries whose foreign policies ran counter to the Government's.

f. Trafficking in Persons

There was no information available regarding whether the law specifically prohibits trafficking in persons; however, the Penal Code prohibits prostitution and related offenses, including sexual trafficking.

There were reports of trafficking in persons. The country was a place of transit for women trafficked from Africa to central Europe, and there were reports that Sri Lankan women were transported through the country as well. The country was also a transit point for sub-Saharan Africans attempting to reach Italy and other European Union countries. In September, dozens of Somalis died at sea after spending 3 weeks adrift in their attempt to reach the Italian island of Lampedusa. In 2001, Senegalese authorities detained 100 young Senegalese women from boarding a charter flight to the country. According to a media report, in 2001 two French nationals of Senegalese origin were arrested and charged with organizing international prostitution. There were reports that these women were being sent to the country to work as prostitutes.

Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.c.).

* The United States has no official presence in Libya. Information on the human rights situation therefore is limited; this report draws heavily on non-U.S. Government sources.